

RESOLUTION NO. 31-2023

Introduced by William Biddlecombe

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT CONFIRMING THE JOINT ACQUISITION, OPERATION AND/OR MAINTENANCE OF RECREATIONAL FACILITIES AND AN AGREEMENT FOR THE OPERATION AND MAINTENANCE OF SUCH FACILITIES AND PROGRAMS ESTABLISHED BY THE HURON JOINT RECREATION PROGRAM

WHEREAS, the City of Huron agreed in that certain City Resolution No. 1995-16, adopted June 12, 1995 to establish a Joint Recreation District with the Board of Trustees of Huron Township, Erie County, Ohio, a political subdivision of the State of Ohio, and the Board of Education of Huron School District, Erie County, Ohio, a political subdivision of the State of Ohio, for the purpose of acquiring, operating and maintaining joint recreational facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

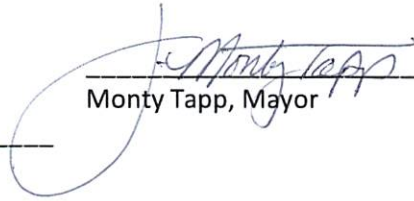
SECTION 1: That the City Manager be, and he hereby is, authorized and directed to enter into an Agreement Confirming the Joint Acquisition, Operation and/or Maintenance of Recreational Facilities and an Agreement for the Operation and Maintenance of such Facilities and Programs Established by the Huron Joint Recreation District, which agreements shall be substantially in the form of Exhibits "A" and "B," respectively, attached hereto and made a part hereof.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of the Revised Code.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

ATTEST:


Clerk of Council


Monty Tapp, Mayor

ADOPTED:

11 APR 2023



AN AGREEMENT CONFIRMING THE JOINT ACQUISITION, OPERATION AND/OR MAINTENANCE OF RECREATIONAL FACILITIES THROUGH THE HURON JOINT RECREATION DISTRICT

THIS AGREEMENT is hereby made and executed by and between the City of Huron, Ohio, a municipal corporation of Erie County, Ohio, [City], the Board of Trustees of Huron Township, Erie County, Ohio a political subdivision of the State of Ohio, [Township] and the Board of Education of Huron School District, Erie County, Ohio, a political subdivision of the State of Ohio, [School]”, to be effective as of the 1st day of January, 2023.

WHEREAS, the parties have heretofore created and funded the Huron Joint Recreation Study Committee;

WHEREAS, the City agreed to establish a Joint Recreation District with the Township and the School to acquire, operate and maintain joint recreational facilities in that certain City Resolution No. 1995-16, adopted June 12, 1995;

WHEREAS, the parties now desire to continue and confirm a joint recreation district pursuant to the O.R.C. § 755.14(C), to be known as the “Huron Joint Recreation District” [the District], which district will acquire and/or lease property to equip, operate and maintain such parks, playgrounds, playfields, gymnasiums, public baths, swimming pools and indoor recreation centers as determined by the Board of Trustees of the District to be necessary or conducive to the public welfare; and

WHEREAS, the parties entered into agreements similar to this Agreement and now wish to renew and modify those agreements as set forth below;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and pursuant to O.R.C. § 755.16(A), the parties hereto agree as follows:

1. They and each of them will, or have, by appropriate Resolution, establish(ed) the Huron Joint Recreation District, consisting of all the territory of the City, Township and School, governed by the Huron Joint Recreation District Board of Trustees, consisting of nine (9) trustees residing in the District, three (3) of whom shall be appointed by each, the City, Township and School, with one (1) of each of the three (3) being an elected or appointed official of the appointing entity and with two (2) of each of the three (3) being other than elected or appointed officials of the appointing entity.

2. This Agreement shall be deemed to be in full force and effect on and after it has been executed by all Parties.

3. The monetary contributions for the year 2023 shall be as follows: the City, Three Hundred Twenty Thousand Seven Hundred Fifty-Five and 00/100 Dollars (\$320,755.00); and the Township, One Hundred Twenty-Three Thousand Three Hundred Sixty-Seven and 00/100 Dollars (\$123,367.00); with the annual total at Four Hundred Forty-Four Thousand One Hundred Twenty-Two and 00/100 Dollars (\$444,122.00). If necessary (as determined by the City), the parties shall agree on a reconciliation process of prior year actuals that may or may not result in additional monetary contributions or credits per party. Upon the City's depositing of at least Fifty Thousand Dollars (\$50,000.00) of its monetary contribution to the appropriate account or fund, the Township shall make its monetary contributions by the end of the quarter following the City's deposit or come to terms with the City on other payment terms (e.g., quarterly payments), so long as total monetary contributions for each party is deposited with the City before the end of the fiscal year. Funds thus deposited shall be used exclusively for operational and maintenance expenses for the District, including wages and fringe benefits. The City shall account for all funds deposited by the parties and shall make annual reports to the Township and School, through the Board of Trustees, for all income, expense and remaining balance of funds deposited hereunder. Any capital improvements shall be the responsibility of the party holding title to the facility at which any such improvements are to be made.

4. The District shall enter into an Agreement with the City of Huron for the maintenance of the District's recreational facilities and the establishment and management of recreational programs for the District, which Agreement shall be in the form of "Exhibit B" attached hereto and incorporated by reference.

5. The term of this Agreement shall be for one (1) year, and this Agreement may be amended from time to time in a writing signed by all parties with the appropriate approval of the entities' legislative authority.

6. The parties hereby ratify and affirm each and every act undertaken by the District pursuant to their original and subsequent agreement provided; however, this Agreement shall supersede and take the place of the parties' former agreement of similar import.

[SIGNATURES ON NEXT PAGE]

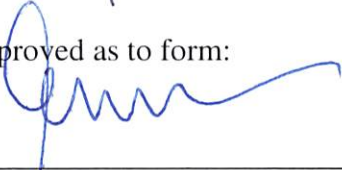
IN WITNESS WHEREOF, the parties have executed this Agreement, pursuant to their respective, appropriate, contracting authority procedures as below listed on the date indicated below.

CITY OF HURON, ERIE COUNTY, OHIO

By: 

Matthew Lasko, City Manager

Date: April 12, 2023

Approved as to form:


Todd A. Schrader, Law Director

Resolution No. 31-2023
Passed: April 11, 2023

[SIGNATURES CONTINUE ON NEXT PAGE]

BOARD OF TRUSTEES OF HURON TOWNSHIP, ERIE COUNTY, OHIO

By: _____

By: _____

By: _____

Date: _____, 2023

Approved as to form:

Kevin J. Baxter, Erie County Prosecutor

Resolution No. _____

Passed: _____, 2023

[SIGNATURES CONTINUE ON NEXT PAGE]

AGREEMENT PROVIDING FOR THE MAINTENANCE OF RECREATIONAL FACILITIES AND MANAGEMENT OF RECREATIONAL PROGRAMS FOR THE HURON JOINT RECREATION DISTRICT

THIS AGREEMENT is hereby made and concluded by and between the City of Huron, Ohio, a municipal corporation of Erie County, Ohio [City], and the Huron Joint Recreation District, a statutory joint recreation district of Erie County, Ohio [the District], to be effective as of the date of the last party's execution hereof as follows:

WHEREAS, the City agreed to establish the District with Huron Township and the Huron City School District to acquire, operate and maintain joint recreational facilities in that certain City Resolution No. 1995-16, adopted June 12, 1995;

WHEREAS, the District is a statutory joint recreation district formed in 1995 by the City, the Board of Trustees of Huron Township, Erie County, Ohio and the Board of Education of Huron City School District, Erie County, Ohio under the authority of O.R.C. §755.16;

WHEREAS, the District was created to enhance the recreational opportunities for the inhabitants of the City, Huron Township and the Huron City School District by the combining of resources of the creating entities; and

WHEREAS, the District wishes to continue to engage the services of the City, especially its Parks and Recreation Department, to provide for the management of recreational programs to be conducted at such facilities to the benefit of the creating entities' respective citizenry;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. Any funds already on deposit or hereafter deposited or paid into the City's Park and Recreation Fund as set forth in the parties' Agreement establishing a Joint Recreation District shall be separately identified in such Fund, and expenditures of such moneys in furtherance of this Agreement shall be separately recorded and tracked. Each year, the City's Parks and Recreation Department shall establish a budget for funds deposited or paid by the parties, and each party shall be provided with a copy of such budget. Each party shall review such proposed budget.


2. The City shall participate in the creation of recreational programs to be conducted at the facilities operated and maintained by the District and shall manage such programs as the District shall establish; provided, however, the Director of the City's Department of Parks and Recreation shall have the right to decline to manage a recreational program created by the District without the consent and agreement of the City.

3. Included as a common expense to be paid from such fund shall be the cost of such insurance as the City shall deem appropriate with regard to the facilities and programs covered by this Agreement.

4. This Agreement shall supersede and take the place of the parties' agreement of similar import as the same previously existed.

IN WITNESS WHEREOF, the parties hereto execute this Agreement, pursuant to their respective, appropriate contracting authority procedures as below indicated, on the date indicated below.

CITY OF HURON, ERIE COUNTY, OHIO

By: 

Matthew Lasko, City Manager

Date: April 12, 2023

Resolution No. 31-2023
Adopted: April 11, 2023

HURON JOINT RECREATIONAL DISTRICT

By: _____
Huron Joint Recreation District Chairperson